** E-filed July 8, 2010 ** 1 JOSEPH P. RUSSONIELLO (CSBN 44332) United States Attorney JOANN M. SWANSÓN (CSBN 88143) 2 Chief, Civil Division CLAÍRE T. CORMIER (CSBN 154364) JAMES A. SCHARF (CSBN 152171) 3 Assistant United States Attorneys 5 150 Almaden Boulevard, Suite 900 San Jose, California 95113 6 Telephone: (408) 535-5082 Facsimile: (408) 535-5081 7 claire.cormier@usdoj.gov 8 Attorneys for Defendant United States of America 9 UNITED STATES DISTRICT COURT 10 NORTHERN DISTRICT OF CALIFORNIA 11 SAN JOSE DIVISION 12 KATHLEEN VENTIMIGLIA, et al., No. C 07-05481 HRL 13 Plaintiffs, 14 STIPULATION OF DISMISSAL AND 15 [PROPOSED] ORDER UNITED STATES OF AMERICA, et al., 16 Defendants. 17 18 It is hereby stipulated by and between each of the undersigned parties, by and through 19 20 their respective attorneys, as follows: 21 Pursuant to Federal Rule of Civil Procedure Rule 41(a)(2) and the Stipulation of Settlement and Order filed in this action, plaintiffs and defendants, through their attorneys of 22 record, hereby stipulate and agree that the above-referenced action is dismissed with prejudice in 23 24 its entirety, with each party bearing its own fees, costs, and expenses, except as set forth in the 25 Stipulation of Settlement and Order. 26 Pursuant to Section 3612(a) of the California Probate Code, the Court shall have 27 continuing jurisdiction of the money paid or to be paid, delivered, deposited, or invested for the 28 benefit of the minor, S.V., until he reaches 18 years of age. The Court shall not otherwise retain STIPULATION OF DISMISSAL; [PROPOSED] ORDER Nos. C 07-05481 HRL

1	jurisdiction over this action, the settlement, or any other matter pertaining to this action or the		
2	settlement.		
3	IT IS SO STIPULATED.		
4	Dated:, 2010 JOSEPH P. RUSSONIELLO UNITED STATES ATTORNEY		
5			
6	By: Claire T. Cormier		
7	Assistant United States Attorney Attorney for Defendant USA		
8	F (15)		
9	Dated: 2/0/, 2010 CORSIGLIA MCMAHON & ALL'ARD LLP		
10	By: Maryly C		
11	Bradley M. Corsiglia Attorneys for Plaintiffs		
12			
13	Dated:, 2010 EMERSON, COREY, SORENSEN, CHURCH & LIBKE		
14	Ву:		
15	James D. Emerson Attorneys for Defendant Chamblin-Landes		
16	Construction, Inc.		
17	Dated:, 2010 SEVERSON & WERSON		
18	Ву:		
19	Austin B. Kenney		
20	Attorneys for Defendant WWD Corporation		
21	Dated:, 2010 VAN DE POEL, LEVY & ALLEN, LLP		
22	Ву:		
23	Jeffrey W. Allen Attorneys for Defendant Larry Spencer Construction		
24			
25	[TROPOSED] ORDER		
26	Upon stipulation of the parties and good gaute appearing, IT IS SO ORDERED.		
27	DATED: July 8, 2010		
28	H WARD R LLOYD		
	United States Magistrate Judge		
	STIPULATION OF DISMISSAL; [PROPOSED] ORDER Nos. C 07-05481 HRL		

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4	1	IOSEDII D. DIJISSONIEVY O	
5	Dated:, 2010	JOSEPH P. RUSSONIELLO UNITED STATES ATTORNEY	
6		By:	
7		Claire T. Cormier Assistant United States Attorney Attorney for Defendant USA	
8		Attorney for Defendant USA	
9	Dated:, 2010	CORSIGLIA MCMAHON & ALLARD LLP	
10		Ву:	
11		Bradley M. Corsiglia Attorneys for Plaintiffs	
12	Dated: 5 Q 7 , 2010	EMERSON, COREY, SORENSEN, CHURCH & LIBKE	
13	, 2010		
14		By: James D. Emerson	
15		Attorneys for Defendant Chamblin-Landes Construction, Inc.	
16		Constituction, Inc.	
17	Dated:, 2010	SEVERSON & WERSON	
18		By:	
19		Austin B. Kenney Attorneys for Defendant WWD Corporation	
20	Dated:, 2010	•	
21	Dated, 2010	VAN DE POEL, LEVY & ALLEN, LLP	
22		By: Jeffrey W. Allen	
23		Attorneys for Defendant Larry Spencer Construction	
24	•	(PROPOSED) ORDER	
25			
26	Upon stipulation of the parties and good cause appearing, IT IS SO ORDERED.		
27	DATED:	HOWARD R. LLOYD	
28		United States Magistrate Judge	
	STIPULATION OF DISMISSAL; [PROPOSED] ORDER		
	Nos. C 07-05481 HRL		
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3	IT IS SO STIPULATED.
4	Dated:, 2010 JOSEPH P. RUSSONIELLO UNITED STATES ATTORNEY
5	Ву:
6	Claire T. Cormier Assistant United States Attorney
7	Attorney for Defendant USA
9	Dated:, 2010 CORSIGLIA MCMAHON & ALLARD LLP
10	By:
11	Bradley M. Corsiglia
12	Attorneys for Plaintiffs
13	Dated:, 2010 EMERSON, COREY, SORENSEN, CHURCH & LIBKE
14	Ву:
15	James D. Emerson Attorneys for Defendant Chamblin-Landes
16	Construction, Inc.
17	Dated: 5/22/18 J2010 SEVERSON WERSON
18	Ву:
19	Austin B. Kenney Attorneys for Defendant WWD Corporation
20	
21	Dated:, 2010 VAN DE POEL, LEVY & ALLEN, LLP
22	By: Jeffrey W. Allen
23	Attorneys for Defendant Larry Spencer Construction
24	(PROPOSED) ORDER
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28	United States Magistrate Judge
	STIPULATION OF DISMISSAL; [PROPOSED] ORDER
	Nos. C 07-05481 HRL
	<u>.</u>

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3	IT IS SO STIPULATED.		
4	Dated:, 2010	JOSEPH P. RUSSONIELLO	
	Dated, 2010	UNITED STATES ATTORNEY	
5		Dan	
6		By: Claire T. Cormier Assistant United States Attorney	
7		Attorney for Defendant USA	
8	Dated:, 2010	CORSIGLIA MCMAHON & ALLARD LLP	
9	Dated, 2010		
10		By: Bradley M. Corsiglia	
11		Attorneys for Plaintiffs	
12	Dated:, 2010	EMERSON, COREY, SORENSEN, CHURCH & LIBKE	
13	, 2010		
14		By: James D. Emerson	
15		Attorneys for Defendant Chamblin-Landes Construction, Inc.	
16		·	
17	Dated:, 2010	SEVERSON & WERSON	
18		By:	
19		Austin B. Kenney Attorneys for Defendant WWD Corporation	
20	Dated: 5/28 ,2010	·	
21	Dated:	VAN DE POEL, LEVY & ALLEN, LLP	
22	·	By: Jeffrey W. Allen	
23		Attorneys for Defendant Larry Spencer Construction	
24	(PROPOSED) ORDER		
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